

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

August C. Signorini Jr.
Beth A. Signorini
Debtor(s)

Bankruptcy Case No.: 19-21899-CMB
Per November 21, 2019 proceeding
Chapter: 13
Docket No.: 37 – 24, 28
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated May 8, 2019 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Loan Depot (Claim 23); Wells Fargo (Claim 8) .
- ☒ H. Additional Terms: The secured claims of the following creditor shall govern as to claim amount, to be paid at the modified plan terms: Ally (Claim No. 9) at payment computed by trustee.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.


Carlota M. Böhm, Judge
United States Bankruptcy Court

Dated: November 26, 2019

cc: All Parties in Interest to be served by Clerk in seven (7) days

Certificate of Notice Page 4 of 5
 United States Bankruptcy Court
 Western District of Pennsylvania

In re:
 August C. Signorini, Jr.
 Beth A. Signorini
 Debtors

Case No. 19-21899-CMB
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2

User: lmar
 Form ID: 149

Page 1 of 2
 Total Noticed: 45

Date Rcvd: Nov 26, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 28, 2019.

db/jdb
 15070680 +August C. Signorini, Jr., Beth A. Signorini, 360 980 Road, McDonald, PA 15057-2896
 American Express National Bank, c/o Becket and Lee LLP, PO Box 3001,
 Malvern PA 19355-0701
 15049243 +Amex, Correspondence/Bankruptcy, Po Box 981540, El Paso, TX 79998-1540
 15087122 CREDIT FIRST NA, PO BOX 818011, CLEVELAND, OH 44181-8011
 15049245 +Chase Card Services, Attn: Bankruptcy, Po Box 15298, Wilmington, DE 19850-5298
 15089363 +Citibank, N.A., 701 East 60th Street North, Sioux Falls, SD 57104-0493
 15049246 +Citibank/The Home Depot, Attn: Recovery/Centralized Bankruptcy, Po Box 790034,
 St Louis, MO 63179-0034
 15049250 +Credit First National / Firestone, Attn: Bankruptcy, Po Box 81315,
 Cleveland, OH 44181-0315
 15064591 +JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., JPMC,
 c/o National Bankruptcy Services, LLC, P.O. Box 9013, Addison, Texas 75001-9013
 15049255 +Santander Consumer USA, Attn: Bankruptcy, Po Box 961245, Fort Worth, TX 76161-0244
 15049257 +St. Clair Hospital, P.O. Box 791486, Baltimore, MD 21279-1486
 15049261 +US Bank National Association, c/o Christopher DeNardo, Esq., 3600 Horizon Drive,
 Suite 150, King of Prussia, PA 19406-4702
 15049262 +US BankCorp, Attn: Bankruptcy, Po Box 5229, Cincinnati, OH 45201-5229
 15081059 USB Leasing LT, c/o U.S. Bank National Association, Bankruptcy Department, PO Box 5229,
 Cincinnati, Ohio 45201-5229
 15049263 +Wells Fargo Bank NA, Attn: Bankruptcy, 1 Home Campus Mac X2303-01a,
 Des Moines, IA 50328-0001
 15081704 Wells Fargo Bank, N.A., P.O. Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438
 15089160 +loanDepot.com, LLC, c/o Cenlar FSB, 425 Phillips Blvd., Ewing, NJ 08618-1430

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

cr +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Nov 27 2019 04:28:44
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 cr E-mail/Text: bnc-quantum@quantum3group.com Nov 27 2019 03:57:50 Quantum3 Group LLC,
 Sadino Funding LLC, PO Box 788, Kirkland, WA 98083-0788
 15088993 E-mail/Text: ally@ebn.phinsolutions.com Nov 27 2019 03:56:28 Ally Bank, PO Box 130424,
 Roseville MN 55113-0004
 15049242 +E-mail/Text: ally@ebn.phinsolutions.com Nov 27 2019 03:56:28 Ally Financial,
 Attn: Bankruptcy Dept, Po Box 380901, Bloomington, MN 55438-0901
 15049244 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 27 2019 04:01:37 Capital One,
 Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
 15081190 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 27 2019 04:00:53
 Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083,
 Charlotte, NC 28272-1083
 15049247 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 27 2019 03:57:42 Comenity Bank/Full Beauty,
 Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
 15049248 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 27 2019 03:57:42 Comenity Bank/Kay Jewelers,
 Attn: Bankruptcy Dept, Po Box 182125, Columbus, OH 43218-2125
 15049249 +E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Nov 27 2019 03:57:42 Comenity Bank/Romans,
 Attn: Bankruptcy, Po Box 182125, Columbus, OH 43218-2125
 15049251 +E-mail/PDF: creditonebknofications@resurgent.com Nov 27 2019 04:00:19 Credit One Bank,
 Attn: Bankruptcy Department, Po Box 98873, Las Vegas, NV 89193-8873
 15049252 +E-mail/Text: bnc-bluestem@quantum3group.com Nov 27 2019 03:58:36 Fingerhut,
 Attn: Bankruptcy, Po Box 1250, Saint Cloud, MN 56395-1250
 15072833 E-mail/PDF: resurgentbknofications@resurgent.com Nov 27 2019 04:00:26 LVNV Funding, LLC,
 Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
 15049253 +E-mail/Text: bknofication@loandepot.com Nov 27 2019 03:58:50 Loandepo.co,
 Attn: Bankruptcy Dept, 26642 Towne Center Dr, Foothill Ranch, CA 92610-2808
 15088992 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Nov 27 2019 04:00:17
 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
 15049254 +E-mail/PDF: gecsedirecoverycorp.com Nov 27 2019 04:00:48 Paypal Credit, P.O. Box 105658,
 Atlanta, GA 30348-5658
 15084163 E-mail/Text: bnc-quantum@quantum3group.com Nov 27 2019 03:57:50
 Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
 15084161 E-mail/Text: bnc-quantum@quantum3group.com Nov 27 2019 03:57:49
 Quantum3 Group LLC as agent for, Bluestem and SCUSA, PO Box 788,
 Kirkland, WA 98083-0788
 15121355 E-mail/Text: bnc-quantum@quantum3group.com Nov 27 2019 03:57:50
 Quantum3 Group LLC as agent for, Sadino Funding LLC, PO Box 788, Kirkland, WA 98083-0788
 15049256 +E-mail/Text: PFS.Analyst@stclair.org Nov 27 2019 03:58:36 St. Clair Hospital,
 P.O. Box 640831, Pittsburgh, PA 15264-0831
 15049695 +E-mail/PDF: gecsedirecoverycorp.com Nov 27 2019 04:00:49 Synchrony Bank,
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
 15086465 +E-mail/PDF: gecsedirecoverycorp.com Nov 27 2019 04:00:51 Synchrony Bank,
 c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
 15049258 +E-mail/PDF: gecsedirecoverycorp.com Nov 27 2019 04:00:48 Synchrony Bank/Amazon,
 Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060

District/off: 0315-2

User: lmar
Form ID: 149

Page 2 of 2
Total Noticed: 45

Date Rcvd: Nov 26, 2019

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

15049259 +E-mail/PDF: gecsed@recoverycorp.com Nov 27 2019 04:00:09 Synchrony Bank/Lowes,
Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15049260 +E-mail/PDF: gecsed@recoverycorp.com Nov 27 2019 04:01:33 Synchrony Bank/QVC,
Attn: Bankruptcy Dept, Po Box 965060, Orlando, FL 32896-5060
15084271 E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Nov 27 2019 04:01:14 Verizon,
by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
15049264 +E-mail/Text: bankruptcy@firstenergycorp.com Nov 27 2019 03:58:14 West Penn Power,
P.O. Box 3687, Akron, OH 44309-3687
15058973 +E-mail/Text: bankruptcy@firstenergycorp.com Nov 27 2019 03:58:14 West Penn Power,
5001 NASA Blvd, Fairmont WV 26554-8248
15049265 +E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Nov 27 2019 04:00:53
World's Foremost Bank / Cabellas, Attn: Bankruptcy, 4800 Nw 1st St,
Lincoln, NE 68521-4463

TOTAL: 28

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr LOANDEPOT.COM, LLC

TOTALS: 1, * 0, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 28, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 26, 2019 at the address(es) listed below:

David A. Rice on behalf of Debtor August C. Signorini, Jr. ricelawl@verizon.net,
lowdenscott@gmail.com
David A. Rice on behalf of Joint Debtor Beth A. Signorini ricelawl@verizon.net,
lowdenscott@gmail.com
James Warmbrodt on behalf of Creditor LOANDEPOT.COM, LLC bkgroup@kmlawgroup.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteedpa.com
Scott R. Lowden on behalf of Joint Debtor Beth A. Signorini niclowlgl@comcast.net
Scott R. Lowden on behalf of Debtor August C. Signorini, Jr. niclowlgl@comcast.net

TOTAL: 7